

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
Western Division  
Docket No. 5:09-M-1964-1**

**United States Of America**

**vs.**

**Matthew W. Giaccone**

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**ORDER MODIFYING AND  
CONTINUING SUPERVISION**

On this the 11th day of August, 2010, comes Pamela O. Thornton, U.S. Probation Officer, in open court at Fayetteville, North Carolina, who shows the court that Matthew W. Giaccone appeared before the Honorable James E. Gates, U.S. Magistrate Judge, on January 13, 2010, and pursuant to an earlier plea of guilty to Careless and Reckless by Manner, in violation of 18:13-7220, was sentenced to a 12 month term of probation.

From evidence presented, the court finds as a fact that Matthew W. Giaccone, who is appearing before the court with counsel, has violated the terms and conditions of the probation judgment as follows:

1. Failure to refrain from the use of alcohol.

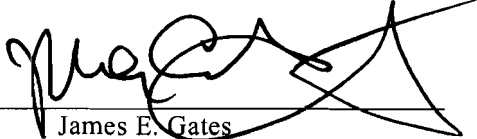
**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the probation sentence heretofore granted be continued with the following modifications:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
2. The defendant shall undergo placement in a residential recovery center for a period of 60 days as arranged by the probation office and shall abide by the conditions of that program during said placement. The defendant shall be released from the residential recovery center prior to completing the 60 day placement if he secures a satisfactory residence approved by the probation office.

**IT IS FURTHER ORDERED** that except as herein modified, the Judgment shall remain in full force and effect.

**IT IS FURTHER ORDERED** that the balance of the financial imposition originally imposed be due in full immediately.

This the 11th day of August, 2010.

  
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James E. Gates  
U.S. Magistrate Judge